

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CLARENCE C. WILKS,

Plaintiff,

v.

Case No. 18-C-10

SHERIFF RICHARD R. SCHMIDT,
CAPTAIN DOBSON, MS. SOLOMAN,
CORRECTIONAL OFFICER MARIO DANTZER,
MILWAUKEE COUNTY JAIL MEDICAL STAFF,
and JOHN DOES,

Defendants.

ORDER

Plaintiff Clarence C. Wilks filed a *pro se* complaint under 42 U.S.C. § 1983 and a motion for leave to proceed without prepayment of the filing fee under 28 U.S.C. § 1915. On January 25, 2018, U.S. Magistrate Judge Nancy Joseph (the judge assigned to the case at that time) ordered the plaintiff to forward to the Clerk of Court the sum of \$15.00 by February 16, 2018, as an initial partial filing fee in this action. Judge Joseph advised the plaintiff that, upon payment of this fee, she would determine whether the action could proceed without prepayment of the filing fee. The plaintiff failed to comply with that order. On February 21, 2018, Judge Joseph gave the plaintiff until March 21, 2018, to pay the initial partial filing fee or explain why he could not do so. The plaintiff did neither.

Because not all parties have had the opportunity to consent to magistrate judge jurisdiction, the case was randomly reassigned to this court for the purpose of involuntarily dismissing the complaint based on the plaintiff's failure to prosecute.

THEREFORE, IT IS ORDERED that this action is **DISMISSED** without prejudice for lack of prosecution, pursuant to Civil Local Rule 41(c) (E.D. Wis.) and Federal Rule of Civil Procedure 41(b). The plaintiff may refile his case at a later date, subject to the applicable statute of limitations.

Dated this 29th day of March, 2018.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court